Supreme Court, U. S.
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MICHAEL RODAK, JR., CLERK

IN THE

Supreme Court of the United States

October Term, 1977.

No. 77-1275.

MARTIN B. GLAUSER DODGE CO.,
Petitioner,

v.

CHRYSLER CORPORATION, et al.,
Respondents.

OBJECTION TO PETITION FOR LEAVE TO FILE AN AMICUS CURIAE BRIEF IN SUPPORT OF PETITION FOR CERTIORARI.

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The petition for certiorari in this case was filed on March 14, 1978. Respondents' brief in opposition was filed on April 13, 1978. Petitioner filed a reply brief on

May 1, 1978. Thereafter, an organization which terms itself "Independent Dealers Committee Dedicated To Action" submitted a petition (received by Respondents on May 8, 1978) for leave to file a brief amicus in support of the petition for certiorari. The brief itself is attached to the petition. See to the contrary Rule 42(3).

The Respondents withheld their consent to the filing of a "brief amicus" for three reasons.

1. The decision of the Court of Appeals was entered on November 14, 1977 (rehearing denied December 14, 1977). The proposed "amicus" brief states that the amicus organization "followed the case at bar as one which involved the fortunes of its members". Proposed Brief, p. 5. Any organization with an interest in the case had ample time to determine whether it wanted to seek permission to support any petition for certiorari. A brief amicus in support of a petition for certiorari should be filed a reasonable time before the response to the petition for certiorari is filed. See Rule 42(1). It is not properly used as a reply brief.

2. The Respondents see no reason why the Petitioner itself cannot adequately present any arguments with respect to its petition for certiorari.

3. While the Respondents do not have detailed information concerning the organization and membership of the "Independent Dealers Committee Dedicated To Action", they believe that the organization represents substantially less than 1% of the automotive dealerships in the United States, and that it does not speak for any important portion of the total dealership body.

Respectfully submitted,

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May, 1978